UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,191	06/04/2001	Shell S. Simpson	10007667-1	5616

		EXAMINER
7590	09/06/2005	TUCKER, WESLEY J

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DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 August 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10,12-19 and 21-23</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10,12-19 and 21-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

     1.☐ Certified copies of the priority documents have been received.

     2.☐ Certified copies of the priority documents have been received in Application No. _____.

     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 2nd 2005 has been entered.

Response to Arguments and Amendments

2.   The amendment filed August 2nd 2005 has been entered and made of record.

3.   Applicant has amended claims 1 and 12. Claims 11 and 20 are canceled. Claims 1-10, 12-19 and 21-23 are pending.

4.   Applicant's remarks with regard to the currently pending independent claims have been entered and fully considered but are not persuasive for at least the following reasons:

5.   With regard to claim 1, Applicant has added the limitation of the device firmware <u>being part of the scanning device</u>. Examiner submits that where the processing for storing and routing the image data is irrelevant to the operation of the

present invention. Some form of processor is inherent and must be used to route the

data and since all scanners contain some form of processor capable of at least

transporting the image data from the scanner to a device for display or storage then it

would be obvious to enable the scanner in the reference of Ogawa to route scanned

image data to personal image repositories. Applicant sites the administrative software

in Ogawa for proof that Ogawa's scanner device does not contain firmware. However

Examiner submits that the scanner must contain some form of firmware in order to

interact and log in with the file server. The administration software serves to interact

with the firmware or software or whatever is present in the scanner of Ogawa that

allows it to log in with the file server. Further the new reference of U.S. Patent

6,426,806 to Melen is cited to teach a scanning and routing networked embodiment that

teaches that the central processing unit responsible for performing the routing by

identifying a code (column 2, lines 48-68) and then delivering the document to the

location associated with the code (column 3, lines 1-11) can "reside either within the

scanner 106 or outside scanner 106." Therefore whether the firmware performing

resides within the scanner or just outside the scanner does not change the way in which

the system functions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination U.S. Patent 6,115,739 to Ogawa et al. and U.S. Patent 6,426,806 to Melen.

With regard to claim 12, Ogawa discloses a method for transferring scanned imaging data from a scanning device to a personal imaging repository having one or more imaging data stores for storing the imaging data of a user and a composition store for storing imaging compositions having links to the imaging data, said method comprising:

Ogawa further discloses receiving the scanned imaging data (Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses obtaining by the scanning device user information relating to the personal imaging repository that identifies an imaging data store and a composition store associated to the user (column 2, lines 30-35).

Connecting by the image scanning device with the imaging store of the personal imaging repository indicated from the user information (column 2, lines 34-42).

Transferring by the image scanning device the scanned imaging data to the imaging data store (column 2, lines 34-40); and

Storing <u>by the image scanning device</u>, in the composition data store associated

to the user, a link reference that identifies a location of the scanned imaging data where

the composition store maintains a plurality of link references to a plurality of imaging

data that may be stored in separate imaging data stores (column 2, lines 34-42 and Fig.

1). The plurality of link references to a plurality of imaging data that may be stored in

separate imaging stores is interpreted as the user Ids that identify the user directory

where the multiple imaging stores are the memories allocated to store the images.

Claim 12 has added the limitation of the underlined text above of performing the

steps of the method <u>by the image scanning device</u>. Ogawa discloses that the

administrative software serves to perform these functions (column 4, lines 30-40) but

does not explicitly disclose that the scanner performs these operations. However, it is

well known that scanners possess processors to perform the functions to, at the very

least, transfer or display images. The reference of Melen discloses a scanning and

routing networked embodiment that teaches that the central processing unit responsible

for performing the routing by identifying a code (column 2, lines 48-68) and then

delivering the document to the location associated with the code (column 3, lines 1-11)

can "reside either within the scanner 106 or outside scanner 106" (column 2, lines 48-

50). Therefore it would have been obvious to one of ordinary skill in the art at the time

of invention to use a scanner or the processor residing in the scanner as taught by

Melen to perform the functions disclosed by Ogawa.

With regard to claim 13, Ogawa discloses the method according to claim 12

further comprising the steps of: obtaining the link reference of the scanned image data

stored in the imaging data store (Figs 4 and 5). Here the image file storage system is

disclosed. The image files all have indexes and are considered to operate as link

references.

Ogawa further discloses disconnecting from the imaging data store by the

scanning device (column 2, lines 45-54). Here the file server is disconnected from the

scanner.

With regard to claim 14, Ogawa discloses the method of claim 12 wherein said

step of connecting with the imaging data store further comprising the steps of:

determining whether the connection with the imaging data store is successful

(column 2, lines 50-54);

returning an error message to the user when the connection is not successful

(column 2, lines 50-54); and,

converting the scanned imaging data into a predefined format (column 2, lines

65-68 and Fig. 11). Here the image is stored in .JBG and .TIF formats. The image can

be stored in one standard format and then converted to another (column 9, lines 45-60).

With regard to claim 15, Ogawa discloses the method according to claim 14

wherein said predefined format is any from the group consisting of: JPEG, GIF, PNGF,

TIF, PDF, and Microsoft Windows bitmap format (Fig. 11). Here two image file formats

are given as IMAGE.TIF and IMAGE.JBG.

With regard to claim 16, Ogawa discloses the method according to claim 12

where the storing comprising the step of obtaining a link reference of the scanned

imaging data stored in the imaging data store (Figs. 4 and 5). All of the images in the

image database have indexes interpreted as link references.

Ogawa further discloses connecting with the composition store of the personal

imaging repository indicated from the user information (column 2, lines 30-40).

Ogawa further discloses creating an imaging composition having the link

reference to the scanned imaging data stored in the personal imaging data store

(column 2, lines 30-40).

Ogawa further discloses saving the imaging composition to the composition store

(column 2, lines 30-40).

With regard to claim 17, Ogawa discloses the method according to claim 16

further comprising the steps of: setting the imaging composition as a selected

composition available for service in the composition store (column 2, lines 30-40); and

disconnecting from the composition store of the personal imaging repository (column 2,

lines 45-54).

With regard to claim 18, Ogawa discloses the method according to claim 16 wherein prior to the step of creating an imaging composition further comprising the steps of: determining whether the connection with the composition store is successful; and, returning an error message to the user when the connection to the composition is not successful (column 2, lines 45-54). Here Ogawa discloses when the connection to the file server or image store is lost or disconnected, the user is notified.

With regard to claim 19, Ogawa discloses the method according to claim 16 wherein said step of creating an imaging composition further comprising the step of adding the link reference of the imaging data stored in the imaging data store to the imaging composition (Figs. 4 and 5). Here the directory is considered to be the image directory in which each image added to the file server is indexed or referred to with a link or index number.

With regard to claim 20, the use of a computer program product comprising a computer usable medium having computer readable program is inherent for a process involving the transfer or storage of digital images.

Ogawa further discloses that the program causes the computer to receive scanned image data (Fig. 2, element 12, column 2, lines 28-31);

Ogawa further discloses that the program causes the computer to obtain user information relating to a personal imaging repository of a user, the personal imaging repository including a plurality of imaging data stores and a composition store, the

composition store being configured to store references to stored imaging data

associated with the user (column 2, lines 34-42). The plurality of imaging data stores is

interpreted as the memories used in the imaging repository to store multiple images.

The composition store configured to store references to stored imaging is interpreted as

the area of memory that stores the user ID, which is interpreted as the reference or link

indicating the location of the user imaging repository.

Ogawa further discloses that the program causes the computer to connect with a

selected imaging data store of the personal imaging repository indicated from the user

information (column 2, lines 34-42).

Ogawa further discloses that the program causes the computer to transfer

scanned imaging data to the selected imaging data store (column 2, lines 34-42).

Ogawa further discloses that the program causes the computer to store a

reference in the composition store that identifies a location of the scanned

imaging data in the selected imaging data store (column 2, lines 34-42). Again

the reference is interpreted as the user ID with which the user repository or

directory is identified.

Claims 1-10 and 21-23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over the combination of U.S. Patent 6,115,739 to Ogawa and U.S. Patent

6,825,942 to Kamiyama et al. in view of U.S. Patent 6,426,806 to Melen.

With regard to claim 1, Ogawa discloses a system for transferring scanned

imaging data from a scanning device to a personal imaging repository (abstract).

Ogawa further discloses a scanning device capable of scanning imaging data

(Fig. 2, element 12, column 2, lines 28-31).

Ogawa further discloses the scanning device configured to obtain user

information relating to a personal imaging repository associated with a particular user

for storing data that is to be accessed by remote web services (column 2, lines 31-37).

Here identification information about the user is used to direct scanned images to the

corresponding directories over a network.

Ogawa further discloses a device firmware being part of the scanning device for

storing scanned imaging data from the scanning device into said personal imaging

repository (column 2, lines 28-32) and being configured to store a link reference to the

scanned image data in a centralized data store associated to the particular user

(column 2, lines 39-42). Here firmware is interpreted as a memory means in which the

relationships of correspondence between identification information on users and the

directories associated with the users are stored. The link reference is interpreted as the

user information used to determine the directory associated with the user. A link

reference is interpreted as a name or pointer that simply identifies where the file is

found and the user ID in Ogawa does that.

Ogawa further discloses the personal imaging repository, but does not explicitly

disclose wherein said imaging repository is an exchange infrastructure between the

imaging data and the remote web services on the Internet by allowing the remote web

services to locate imaging data associated with the particular user by accessing the

centralized data store.

As can best be interpreted from the specification, the present invention claims

that the imaging repository consist of a centralized data store wherein links interpreted

as file pointers or indexes to imaging data are stored and can be retrieved by outside

web services. This is basically what the Internet or any network does in searching for

files within a file structure or network. Kamiyama discloses an image information input

apparatus that stores scanned image data and information about that data such as user

information and storing the data according to the kind of image it is. The image can

then be transferred to another location or web service or user or wherever according to

a received request (column 2, lines 33-64). An exchange infrastructure is inherent to

storing and retrieving image data in this way in a network environment. Therefore it

would have been obvious to one of ordinary skill in the art at the time of invention to use

allow remote web services to locate imaging data of the users in Ogawa by using an

exchange infrastructure as taught by Kamiyama in order to access images associated

with a particular user wherever they are.

Claim 1 has been amended to add the limitation of the underlined text above of

the device firmware being part of the scanning device. Ogawa discloses that the

administrative software serves to perform these functions (column 4, lines 30-40) but

does not explicitly disclose that the scanner performs these operations. However, it is

well known that scanners possess processors to perform the functions to, at the very

least, transfer or display images. The reference of Melen discloses a scanning and

routing networked embodiment that teaches that the central processing unit responsible

for performing the routing by identifying a code (column 2, lines 48-68) and then

delivering the document to the location associated with the code (column 3, lines 1-11)

can "reside either within the scanner 106 or outside scanner 106" (column 2, lines 48-

50). Therefore it would have been obvious to one of ordinary skill in the art at the time

of invention to use a scanner or the processor residing in the scanner as taught by

Melen to perform the functions disclosed by Ogawa.

With regard to claim 2, Ogawa discloses the system as defined in claim 1

wherein said personal imaging repository stores the imaging data in a plurality of file

formats (column 9, lines 12-17). Here Ogawa describes a compression/expansion unit

within the scanner for preserving the image data usually in the compressed format, but

it is apparent that different formats can be used.

With regard to claim 3, Ogawa discloses the system as defined in claim 1

wherein said personal imaging repository comprises an imaging data store assigned to

the user for storing imaging data (column 2, lines 30-35). Here Ogawa discloses

directories or image stores associated with users.

With regard to claim 4, Ogawa discloses the system as defined in claim 1

wherein said personal imaging repository comprises a plurality of imaging data stores

for storing imaging data (column 2, lines 30-35). Here Ogawa discloses that multiple

users have their own directories.

With regard to claim 5, Ogawa discloses the system as defined in claim 4

wherein one of said plurality of imaging data stores is assigned to the user for storing

imaging data (column 2, lines 30-35). Each user has his/her own directory for storing

images.

With regard to claim 6, Ogawa discloses the system as defined in claim 4

wherein one of said plurality of imaging data stores is assigned to a web service for

storing imaging data provided by the web service (column 2, lines 55-65). The scanner

is connected to a network and through that network is connected to a file server for

image storage.

With regard to claim 7, Ogawa discloses the system as defined in claim 1

wherein the centralized data store comprises a composition store for storing imaging

compositions of the imaging (column 2, lines 35-45). Here image data is stored in a file

server according to the user information.

With regard to claim 8, Ogawa discloses the system as defined in claim 7

wherein said imaging composition comprises a link reference for each imaging data

(Figs 4 and 5). Here the image file storage system is disclosed. The image files all

have indexes and are considered to operate as link references.

With regard to claim 9, Ogawa discloses the system as defined in claim 1

wherein said personal imaging repository is located on another data storage device that

is linked to an imaging client (column 2, lines 55-65).

With regard to claim 21, Ogawa discloses a computer program product

comprising a computer usable medium having computer readable program codes

embodied in the medium that when installed in a scanning device linked to a personal

imaging repository with an imaging data store for storing the imaging data and a

composition store for storing imaging compositions with links to the imaging data, the

product causes the scanning device to:

receive scanned imaging data (column 2, lines 30-40);

obtain user information relating to the personal imaging repository (column 2,

lines 30-40);

connect with the imaging data store of the personal imaging repository indicated

from the user information (column 2, lines 30-40); and,

transfer scanned imaging data to the imaging data store (column 2, lines 30–40).

Ogawa discloses where the program causes the computer to transfer a link to a

composition store associated with the user, the composition store being configured to

contain link references to a plurality of image data associated with the user (column 2,

lines 34-42), but does not disclose that the imaging data may be stored in different imaging data stores on remote devices.

Here the discussion of claim 1 applies. As can best be interpreted from the specification, the present invention claims that the imaging repository consist of a centralized data store wherein links interpreted as file pointers or indexes to imaging data are stored and can be retrieved by outside web services and wherein the link references can reference the images stored in data stores on remote devices. This is basically what the Internet or any network does in searching for files within a file structure or network. Kamiyama discloses an image information input apparatus that stores scanned image data and information about that data such as user information and storing the data according to the kind of image it is. The image can then be transferred to another location or web service or user or wherever according to a received request (column 2, lines 33-64). An exchange infrastructure is inherent to storing and retrieving image data in this way in a network environment. Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to use allow storage of image data in different imaging data stores on remote devices or to allow remote web services to locate imaging data of the users in Ogawa by using an exchange infrastructure as taught by Kamiyama in order to access images associated with a particular user wherever they are.

With regard to newly added claim 22, Ogawa discloses a computer program product comprising readable program codes that when executed causes a scanning

device to perform a method, the method comprising receiving references to a personal

imaging repository of a user, the references including a data store reference that

identifies an imaging data store for storing scanned image data and a composition store

reference that identifies a composition store for storing link references to scanned

image data associated with the user (column 2, lines 34-42). The personal imaging

repository is the directory in which the images are stored and the composition store is

where the user ID is stored and the link is the user ID which is used to link to the stored

imaging data.

Ogawa further discloses transferring a scanned image data to the image data

store using the data store reference (column 2, lines 34-42).

Ogawa further discloses obtaining a link reference to the scanned image data

transferred to the image data store (column 2, lines 34-42). The linbk reference is user

ID designating the directory.

Ogawa further discloses causing the link reference to be stored in a composition

store identified by the composition store reference, but does not explicitly disclose

where the composition store can be accessed by a plurality of remote web services to

identify locations of scanned image data associated with the user.

As can best be interpreted from the specification, the present invention claims

that the imaging repository consist of a centralized data store wherein links interpreted

as file pointers or indexes to imaging data are stored and can be retrieved by outside

web services. This is basically what the Internet or any network does in searching for

files within a file structure or network. Kamiyama discloses an image information input

apparatus that stores scanned image data and information about that data such as user

information and storing the data according to the kind of image it is. The image can

then be transferred to another location or web service or user or wherever according to

a received request (column 2, lines 33-64). An exchange infrastructure is inherent to

storing and retrieving image data in this way in a network environment. Therefore it

would have been obvious to one of ordinary skill in the art at the time of invention to use

allow remote web services to locate imaging data of the users in Ogawa by using an

exchange infrastructure as taught by Kamiyama in order to access images associated

with a particular user wherever they are.

With regard to claim 23, the combination of Ogawa and Kamiyama disclose the

computer program product of claim 22 and Kamiyama discloses where the locations of

the scanned image data can include multiple remote locations (column 2, lines 50-55).

Here Kamiyama discloses a plurality of terminals that can request image data. It is

clear that there can be multiple remote locations where images can be stored and

retrieved from in a networked environment.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent 6,115,739 to Ogawa.

With regard to claim 10, Ogawa discloses the system as defined in claim 1,

wherein said item is a smart card. Smart cards are well known in the computer arts to

contain user specific information. Therefore it would have been obvious to one of

ordinary skill in the art at the time of invention to use a smart card to store user

information. Examiner takes official notice.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Wes Tucker whose telephone number is 571-272-7427.

The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Wes Tucker

8-25-05

VIKKRAM BALI
PRIMARY EXAMINER